

U.S. Application Serial No. 10/664,578
Attorney Docket: 45565-0012
Reply to Final Office Action of November 28, 2005

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REMARKS

This Amendment and Response is responsive to the Final Office Action mailed November 28, 2005. Applicants thank the Examiner for the courtesies extended Applicants' representative during the interview of this application conducted on January 10, 2006. During the interview, as noted in the Interview Summary Record, the Examiner and the undersigned discussed the pending claims and each of the patents relied upon by the Examiner. The Examiner and the undersigned discussed whether or not Simon was analogous art to the present invention, whether or not Simon is a tool holder, and the addition of "trimming" to Claim 1 to make Claim 1 consistent with allowed Claim 10.

Consistent with the substance of the January 10, 2006 interview, Applicants have amended Claim 1 by adding "for trimming" to Claim 1 to make Claim 1 consistent with allowed Claim 10. For the reasons set forth below and discussed during the interview, Applicants submit that Claim 1, and the claims depending therefrom, are in a condition for allowance. Therefore, Applicants respectfully submit that pending Claims 1-14 and 16-18 are in a condition for allowance.

Applicants respectfully submit to the Examiner, as discussed in the telephone interview, that U.S. Patent No. 4,976,412 is not analogous prior art and that it relates to body suspensions - compared to the present invention in amended Claim 1 which is directed to trimming assemblies. The courts have generally determined that a reference will be analogous art if it is: (1) of the same field of endeavor as the claimed invention; or (2) from a different field of endeavor but reasonably pertinent to the problem solved by the inventor. Applicants respectfully submit that Simon is not in the same field of endeavor as the claimed invention and is not reasonably pertinent to the particular problem solved by the present invention.

Simon also does not show a support block coupled to the housing with a tool holder coupled to the support block and rotatable relative to the support block about a rotational axis. Furthermore, nothing in Simon discloses, teaches, or suggests a first biasing assembly urging the tool holder toward a linear centered position and a second biasing assembly urging the tool holder to a rotationally centered position.

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Furthermore, amended Claim 1 is directed to a compliance device for trimming which is not disclosed, taught, or suggested by Simon.

It is respectfully submitted that the present amendment should be entered in accordance with the provisions of 37 C.F.R. Section 1.116 on the grounds that: (1) The claims as now presented are in better form for appeal purposes, if necessary; (2) no new issues have been raised; (3) and, moreover, the present amendment is believed to place the application in condition for allowance.

Applicants respectfully submit that in view of amended Claim 1 and the above remarks, that all of the pending claims are in a condition for allowance. Prompt and favorable consideration of this amendment is respectfully requested. As discussed during the interview, Applicants' representative would appreciate if the Examiner would telephone the undersigned if the Examiner has any questions or if any outstanding issues remain with respect to the application proceeding to allowance.

Respectfully submitted,

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Date: January 30, 2006

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